

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Janet T. Neff

v.

Case No. 1:21-cr-00136

EUGENE JONAS HICKS,

Defendant.

ORDER OF DETENTION

This matter is before the Court on the government's motion for pretrial detention. Defendant has been charged in a three-count Indictment. Count 1 charges him with felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924 (a)(2); count 2 charges defendant with possession with intent to distribute controlled substances, in violation 21 U.S.C. § 841(a)(1); and count 3 charges defendant with possession of a firearm in furtherance of a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1)(A)(i). Given the nature of the charges, there is a statutory rebuttable presumption in favor of detention.

The government sought defendant's detention on the basis that he is a danger to the community, 18 U.S.C. § 1342(f)(1), and that he poses a significant risk of flight, 18 U.S.C. § 3142(f)(2)(A). The Court conducted a hearing on August 9, 2021, at which defendant was represented by counsel.

Having considered the information presented at the hearing, the parties' oral

submissions, and the information in the Pretrial Services Report, and for the reasons stated on the record, the Court finds that defendant has rebutted the statutory presumption of significant risk of flight. The Court also finds, however, as explained on the record, that the government has met its burden by clear and convincing evidence that he poses a danger to the community. The Court further finds that there is no condition or combination of conditions that will ensure the safety of the community. Accordingly,

IT IS ORDERED that defendant is committed to the custody of the Attorney General pending trial.

DONE AND ORDERED on August 10, 2021.

/s/ Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge